

JD:TH/EMR
F. #2017R01760

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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17-961 M

UNITED STATES OF AMERICA

TO BE FILED
UNDER SEAL

- against -

KEITH LIWANAG,

Defendant.

COMPLAINT AND
AFFIDAVIT IN
SUPPORT OF
APPLICATION FOR
ARREST WARRANT

(18 U.S.C. § 2251(a))

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EASTERN DISTRICT OF NEW YORK, SS:

KAREN RAMOS, being duly sworn, deposes and states that she is a Special Agent with the Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

In or about and between September 2016 and October 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant KEITH LIWANAG did knowingly and intentionally conspire to employ, use, persuade, induce, entice and coerce one or more minors to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which visual depictions were produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce.

(Title 18, United States Code, Sections 2251(a) and 2251(e))

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI") and have been since 2011. I am currently assigned to the Child Exploitation Investigations Unit and have participated in investigations of violations of criminal law relating to the sexual exploitation of children. As a result of my training and experience, I am familiar with the techniques and methods used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. As part of my responsibilities, I have been involved in the investigation of numerous child pornography cases and have reviewed hundreds of photographs depicting minors (less than eighteen years of age) being sexually exploited by adults.

2. I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, distribution and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

PROBABLE CAUSE

3. Based on my training and experience, and publicly-available information, I know that the National Center for Missing and Exploited Children ("NCMEC") is a nonprofit, nongovernmental organization located in Alexandria, Virginia, that works with law

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware. All statements are summarized in sum and substance and in part.

enforcement on issues related to missing and sexually exploited children. One of the services provided and administered by NCMEC is its CyberTipline, which serves as the national clearinghouse for leads regarding sexual exploitation crimes against children.

4. The CyberTipline receives reports, known as CyberTip reports, on criminal conduct including possession, manufacture and distribution of child pornography; online enticement of children for sexual acts; child prostitution; sex tourism involving children; child sexual molestation; unsolicited obscene material sent to a child; misleading domain names; and misleading words or digital images on the Internet.

5. On or about July 12, 2016, Facebook filed CyberTip Report Number 16485126 with NCMEC regarding a Facebook account that was being used to persuade women to engage in sexual acts with children in exchange for money and to produce and send child pornography over Facebook's private messaging service. That account was associated with Facebook user ID 100012672678733 and with the user name "Tik Nosam" (the "TIK NOSAM ACCOUNT").

6. I have reviewed the contents of CyberTip Report Number 16485126, as well as additional Facebook records obtained pursuant to a search warrant signed by the Honorable Lois Bloom, United States Magistrate Judge on October 6, 2017. I have observed that on several occasions the TIK NOSAM ACCOUNT communicated with other Facebook accounts registered to users who identified as female, and that the user of the TIK NOSAM ACCOUNT requested that those users send him child pornography images. Several of these conversations referenced the Philippines, or included messages sent in Filipino. On at least one occasion, as described in further detail below, the user of the TIK NOSAM ACCOUNT solicited photographs of the sexual abuse of minor children.

7. On or about September 8, 2016, the TIK NOSAM ACCOUNT and another Facebook account registered to a user who identified as female and who, at registration, provided a date of birth of April 6, 1988 (“Woman #1 Account”) participated in the following exchange of messages, among others:

TIK NOSAM ACCOUNT:	question, how old is the kid that you will do the show with?
Woman #1 Account:	then u give me first tip ok
Woman #1 Account:	he its 6 yrs old
TIK NOSAM ACCOUNT:	ok. Boy right?
Woman #1 Account:	yes
TIK NOSAM ACCOUNT:	ok good. so my request for tomorrow is just simple.. just suck and masturbate the kid for 5 minutes.. ok??
Woman #1 Account:	ok..

8. On or about September 11, 2016, the TIK NOSAM ACCOUNT and another Facebook account registered to a user who identified as female and who, at registration, provided a date of birth of March 15, 1981 (“Woman #2 Account”) participated in the following exchange of messages:

TIK NOSAM ACCOUNT:	Where is your son? Lets start.only 7 minutes show
TIK NOSAM ACCOUNT:	Then I will give u extra after the show
Woman #2 Account:	u gave me trip hon
Woman #2 Account:	tip
Woman #2 Account:	where I see my earnings first
Woman #2 Account:	wait

TIK NOSAM ACCOUNT: Yes I did give you tips to start

TIK NOSAM ACCOUNT: Then after the show I will give more

Woman #2 Account: ok hon

Woman #2 Account: wait

TIK NOSAM ACCOUNT: Ok hurry up pls.

TIK NOSAM ACCOUNT: Just suck his penis and masturbate him..

TIK NOSAM ACCOUNT: Suck him good

Woman #2 Account: u see him

TIK NOSAM ACCOUNT: Start now pls

TIK NOSAM ACCOUNT: Take of clothes

TIK NOSAM ACCOUNT: Show me.. take off shorts

Woman #2 Account: he don't have a short

TIK NOSAM ACCOUNT: Ok suck him now

Woman #2 Account: ok

Woman #2 Account: he laughing

TIK NOSAM ACCOUNT: More pls

TIK NOSAM ACCOUNT: Harder

TIK NOSAM ACCOUNT: Make his penis hard

TIK NOSAM ACCOUNT: Play and suck it

Woman #2 Account: he is hard now

TIK NOSAM ACCOUNT: Suck more

TIK NOSAM ACCOUNT: I love it

Woman #2 Account: its ok now

TIK NOSAM ACCOUNT: Little more suck

Woman #2 Account: he don't want now

9. On or about October 12, 2016, the TIK NOSAM ACCOUNT sent the following message to an account registered to a user who identified as female and who, at registration, provided a date of birth of December 7, 1987 ("Mother 2 Account"):

TIK NOSAM ACCOUNT: Hello I am a medical researcher from New York City. I see your nice pictures with your son. Very cute. I am doing an experiment for my school about how loving filipino mothers are with children. And I read the books they said that filipina women or mothers like to kiss their baby's genitals/penis. And I want to prove that to my professor. Maybe you can send me some pictures of you kissing the baby penis. I need at least 3 or 5 pictures. I hope you can help me with this school work that I have. I will wait for your reply and the pictures. I just need pictures of you kissing your son's genitals/penis to prove that my research is correct regarding filipina mothers."

In response, the Mother 2 Account sent several messages to the TIK NOSAM ACCOUNT in Filipino, to which the TIK NOSAM ACCOUNT replied in Filipino. In response to these messages, on or about October 27, 2016, the Mother 2 Account sent images to the TIK NOSAM ACCOUNT, which I have reviewed. These images, which are available for the Court's review, are described as follows:

- a. Facebook Id# 1214956391880641 ("Image 1") is an image depicting an adult woman resting her face next to the penis of a prepubescent male child; and
- b. Facebook Id# 1214959168547030 ("Image 2") is an image depicting an adult woman kissing the penis of a prepubescent male child.

The adult woman depicted in Image 1 and Image 2 appears to be the same, as does the prepubescent male child.

10. Evidence obtained during the course of the investigation reflects that the TIK NOSAM ACCOUNT is linked to another Facebook account with the Facebook user ID 100000259431065, associated with the user name “keith Liwanag” (the “LIWANAG ACCOUNT”). For example, the TIK NOSAM ACCOUNT and the LIWANAG ACCOUNT are linked by “cookies,” which are small text files containing a string of numbers that are placed on a user’s computer or mobile device and that allows Facebook to collect information about how a user uses Facebook.

11. In addition, the user of the TIK NOSAM ACCOUNT provided the cellular phone number (347) 523-1798 (the “-1798 number”) in connection with the registration of the TIK NOSAM ACCOUNT. A review of records associated with the -1798 number reflect that the -1798 number is subscribed to by “LIWANG K MASON” at an address in LeFrak City, a housing complex in Queens, New York (the “LeFrak City Address”).

12. In addition, the billing details associated with the -1798 number refer to the cellular phone number (347) 753-1431 (the “-1431 number”). The user of the LIWANAG ACCOUNT provided the cellular phone number the -1431 number in connection with the registration of the LIWANAG ACCOUNT.

13. Information obtained from Facebook reflects that on November 5, 2016, and December 22, 2016, the TIK NOSAM ACCOUNT was accessed by a computer with the Internet Protocol (IP) address 66.65.15.34. Facebook records further reflect that on December 27, 2016, the TIK NOSAM ACCOUNT was accessed by a computer that was geo located to the LeFrak City Address. Records obtained from Charter Communications

indicate that the IP address 66.65.15.34 is subscribed to “Marlow Fuentes” at the LeFrak City Address. Records obtained from Con Edison indicate that, as of May 1, 2015, the Con Edison account associated with the LeFrak City Address was under the name “Ferali Lewanag.” Further, records obtained from Transunion Gateway reflect that an individual named “Tik Nosam” with an associated telephone number that is the -1798 number described above, at the LeFrak City Address, is a registered user of that service.

14. Records obtained from Western Union reflect that between March 17, 2015 and October 3, 2017, an individual named KEITH LIWANAG with the date of birth November 21, 1991, caused payments to be made to accounts in the Philippines. For example, on March 17, 2015, LIWANAG made a \$20 payment to the Philippines. On April 21, 2015, LIWANAG made a \$300 payment to an account in the Philippines.² KEITH LIWANAG, using the LeFrak City Address, also caused several payments to be made to accounts in the Philippines on several occasions, including, among others: (i) one payment of \$400 on May 9, 2016; (ii) one payment of \$200 on May 24, 2016; (iii) one payment of \$80 on December 8, 2016; (iv) one payment of 30 and two payments of \$40 on September 12, 2017; (v) one payment of \$30 on September 28, 2017; (vi) two payments of \$30 on September 30, 2017; and (vii) one payment of \$40 on October 3, 2017. The IP address associated with the payments made on May 9, 2015, September 28, 2017, September 30, 2017, and October 3, 2017 was 66.65.15.34, the same IP address subscribed to the LeFrak City Address.

² In connection with this payment, LIWANAG used a Forest Hills, New York address, which is also the address that LIWANAG has on file with the New York State Department of Motor Vehicles (“DMV”) according to records obtained from the DMV.

15. On October 24, 2017, I and other law enforcement agents arrived at the LeFrak City Address purporting to be police officers looking for information about an unrelated individual. We knocked on the apartment door and were greeted by an individual who identified himself as Marlow Liwanag, who invited us inside. As we were speaking with Marlow Liwanag inside the apartment, another individual came out of a room in the apartment and introduced himself as Keith Liwanag. I identified this individual as KEITH LIWANAG from photographs on the LIWANAG ACCOUNT, as well as his photograph on file with the New York State Department of Motor Vehicles. During our conversation, KEITH LIWANAG stated, in sum and substance, that he had been living at the LeFrak City Address for approximately three years with Marlow Liwanag and a third individual named Ferali Liwanag.

WHEREFORE, your deponent respectfully requests that the defendant KEITH LIWANAG be dealt with according to law.

I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving the target an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

S/ Karen Ramos

KAREN RAMOS
Special Agent
United States Department of Homeland Security,
Homeland Security Investigations

Sworn to before me this
7th day of November, 2017

S/ Cheryl Pollak

THE HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK